

## KENTUCKY REAL ESTATE APPRAISERS BOARD

### TYPE OF MEETING

Special Meeting

### DATE AND LOCATION

November 19, 2015 – Board Office

### PRESIDING OFFICER

Harold Brantley, Chair

### ROLL CALL

Present:

Harold Brantley, Chair  
Kathy Mayfield, Board Member  
Thomas Oliver, Board Member  
Jeff Fultz, Board Member  
Dann Cann, Board Member

Present Also:

Larry Disney, Executive Director  
Tom Veit, Executive Assistant  
Angie Thomas, Staff Assistant  
Kim Mathias, Executive Secretary  
Nicole Biddle, Attorney General Office

Chair, Harold Brantley opened the meeting by welcoming the guest in attendance.

### MINUTES

Motion by Jeff Fultz, second by Dann Cann and the Board unanimously approved the October 26, 2015 minutes. Roll call –Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.

## EDUCATION

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously approved the following education courses for Fiscal Year 2015-2016. Roll call –Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.

- (1) Association of Appraiser Regulatory Officials
  - A. AARO Fall Conference 2015 – 7.75 CE Classroom
- (2) Appraisal Institute
  - A. Eminent Domain & Condemnation – 7 hours CE Online
- (3) NAIFA
  - A. 2016-17 National USPAP Update – 7 hours CE Classroom
- (4) McKissock
  - A. Exploring Appraiser Liability – 7 hours CE Classroom
  - B. Appraisers: How to Recognize and Avoid Mortgage Fraud – 7 hours CE Classroom
- (5) Redd Brown & Williams Educational Services
  - A. 2016-17 National USPAP Update – 7 hours CE Classroom
  - B. FHA Appraiser Update 2015 – 7 hours CE Classroom

## CERTIFICATION/LICENSURE

A. Approval – Appraisers – Motion by Thomas Oliver, second by Dann Cann and the Board voted to approve the following certification list of appraisers. Roll call –Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.

- 1) Appraisers
  1. Susan E. Alley – Certified Residential (FL)
  2. Stephen Blankenship - Associate
  3. Nicholas K. Christy - Associate
  4. David Austin Cooper – Certified Residential
  5. Donald Davidson – Certified General (TX)
  6. Emmett Nicholas Gibbs – Certified General (PA)
  7. Robert L. Hamilton - Associate
  8. Susan Lynn Hane – Certified Residential (AZ)
  9. Cherie M. Hardgrove – Certified General (OH)
  10. Jeremy T. Heltsley – Certified General
  11. Jonathan S. Manea - Associate

- 12. Michael L. Mooney – Certified General (TN)
- 13. William H. Parrish – Certified Residential
- 14. Coy Shepard – Associate
- 15. Jennifer Tillema – Certified General (IN)
- 16. Shoeyb S. Yousofy – Certified General (CA)

- A. AMC Compliance Manager with prior conviction – Motion by Dann Cann, second by Kathy Mayfield and the Board voted unanimously to approve the application and process the AMC license. Roll call – Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes.
- B. Appraiser applicant with prior conviction – Motion by Thomas Oliver, second by Jeff Fultz and the Board agreed to table the application until the Board has received additional information. The staff has been instructed to obtain the copy of conviction from the applicant for review. Roll call – Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes.

## EXPERIENCE

Motion by Thomas Oliver, second by Dann Cann and the Board voted to reject the experience. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes.

- (1) L. Jason Gibbs – Reject experience for Certified General. He must submit one additional non-residential appraisal report.

## COMPLAINT

- A. The Board reviewed the Case Summary Chart. Tom Veit reported 34 appraiser cases and 1 AMC case have been filed with 20 open Appraiser Cases and 0 open AMC cases.
- B. Case No. 15-09 – Motion by Kathy Mayfield, second by Thomas Oliver and the Board unanimously agreed to dismiss the case. Roll call – Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes.
- C. Case No. 15-11 – Motion by Thomas Oliver, second by Dann Cann and the Board unanimously agreed to set the case for an informal mediation and if not successful to set the case for a hearing. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes

- D. Case No. 15-16 - Motion by Jeff Fultz, second by Kathy Mayfield and the Board unanimously agreed to dismiss the case with a letter of caution. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz Yes.
- E. Case No. 15-04 – Robert Bitner – Motion by Jeff Fultz, second by Thomas Oliver and the Board unanimously agreed to accept the agreed order. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz Yes
- (1) Bitner shall pay of \$500.00 fine with total amount due with the signed agreed order.
  - (2) Bitner shall complete a 30 hour General Market Analysis and Highest and Best use course and a 15 hour National USPAP Course with successful completion of the examination for both courses. Said 45 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by June 30, 2016.
  - (3) Bitner shall submit a log of assignments to the KREAB office every 30 days until June 30, 2016, and the KREAB staff or designee shall have the right to request and review reports from the log upon notice to the respondent.
  - (4) Bitner agrees that he will not obtain any Associates for a period of 3 years from the date of the signed agreed order.
  - (5) Bitner agrees that if the course work set forth in 6(a)&(b) are not completed by June 30, 2016, then the Board shall suspend his certificate (no. 4200) pending completion of the requirements of the terms set out in paragraph 6(a) & (b) of this order.
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- (1) Lynn Prichard Case 12-10, 12-11, 12-12, 12-25, 12-26 – Waiting on decision from brief that was filed.
  - (2) Matt Miniard – Case 10-18 – Brief Filed in Kentucky Supreme Court.
  - (3) David Harrington – Case Nos. 08-49 through 08-57, 09-02, 09-03 and 09-07 – Brief Filed in Court of Appeals
  - (4) Richard Sceifers – Oral Arguments in Franklin Circuit Court.

## **ATTORNEY REPORT**

- (1) Case No. 15-07 - Initial Investigation Stage

## EXECUTIVE SESSION

Motion by Thomas Oliver, second by Dann Cann and the Board agreed per KRS 61.810(1)(c)(f) to go into executive session to discuss grievance. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes

Motion by Dann Cann, second by Kathy Mayfield and the Board agreed to return to regular session. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes

## MISCELLANEOUS

The Board reviewed and discussed the following information:

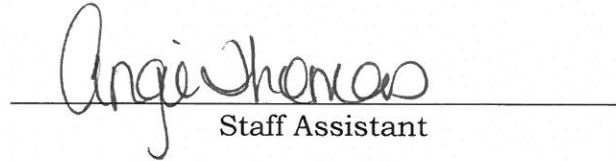
- A. Budget Ending October 30, 2015 – Larry Disney advised the Board that an increase of appraiser fee and the annual fee for USPAP manual will require exploration in the next two years; also informed the Board that consideration should be given to removing the fee from statute to an administrative regulation because of the time span between legislative sessions. Larry Disney also advised the Board of possible budget cuts.
- B. Request from Andrew Baird - Mr. Baird does not appraise residential properties and request that the Board only require him to submit non-residential appraisal reports for his Certified General experience review. The Board considered his request and tabled the request until they can obtain additional information.
- C. 115 AMC's renewed their license for 2015.
- D. Motion by Dann Cann, second by Thomas Oliver and the Board agreed to offer a mandatory Kentucky Laws and Regulation Course to KY appraisers. The course will be 3.5 hours and will be required every 4 even numbered years.
- E. 2016 Board Seminars – The agreed to offer the seminar in Louisville, Bowling Green, Richmond and Florence.
- F. The Board agreed to have a National USPAP Update course for Board and staff. Date and location to be determined at a later date.
- G. Licensed Residential Real Property Appraiser Regulation – Obtain Additional information and bring back to Board at a future Board meeting.
- H. Board offices will be closed December 8, 2015 for Inauguration Day as requested by Governor Elect Bevin.
- I. December Board Meeting – Friday, December 18, 2015

Thomas Oliver, Vice Chair expressed appreciation to Harold Brantley on the past six years as an Appraiser Board Member of the KREAB. A plaque was presented to Mr. Brantley on behalf of the Board and Staff.

Motion by Kathy Mayfield, second by Dann Cann and the Board unanimously agreed to adjourn the meeting.



Chair



Staff Assistant